

~~STATEMENT on Additional grounds~~

COURT OF APPEALS  
DIVISION 3

Superior Court Washington / SAG

12/21/2021

2022 JAN 3 PTF 56210311

John Monty Davis  
vs.

STATE OF WASHINGTON

BY

DEPUTY

Judge James Orlando

STATE OF WASHINGTON

Due Process Motion, NAPSTEAD, EX Post Facto, Supremacy clause

I John Monty Davis declare under the penalty of perjury that there is a violation of Due process and speedy trial rights in the unconstitutional Civil commitment filing of the Persistent offender and an illegal doctrine of not one but to state cause / case / docket numbers to fit a states statute. Not only did regnold heslop of the Washington State Bar Association illegally doctrine a failure to register as a sex offender 07-1-008633 9A44132 he illegally doind a title 9 crimes and punishments by separating and replacing the definition to fit the criteria of a capital punishment crime for example failure to register as a sex offender 9.94A.030(3B) on cause number and judgement and sentence 07-1-008633 which is an highly illegal unconstitutional court docket. Leading up to the community custody for sex offenders that has committed a class A or B felony as an adult listed in subsection (AA) or (BB) of the Washington state practice court rules book. Also sentencing John Monty Davis to the title 9 punishments and crimes instead of the standard sentencing range. Also another illegal doctrine by the prosecuting Attorney Diane Hauger of the Washington State Bar Association

thats exempt from practicing criminal justice 9.97.070  
which makes this case highly illegal also illegally  
doctrine the persistent offender statute "seperation  
of powers" substituting 9.94A.307 with 9.94A.570  
to by pass the barred statue that states any  
person convicted of two crimes done with mental  
health or two crimes of sex offenses listed in  
subsection (AA) or (BB) which my criminal record or  
the department of health record doesn't meet  
the requirements. Also Juvenile Crimes don't equal to  
adult strikes John L. Brady 373 <sup>us.6.28</sup> vs. the state  
of maryland. The Barred time is from after April 1, 1996  
and After June 1 2000 to be convicted of subsection  
(AA) or (BB) so there is the Judicial inappropriability  
and malpractice of criminal justice through Washington  
state Court system also a motionless charge on a barred  
time statute. Failure to register is a class C felony that  
was plead to not to be put on community custody  
through the state statute of civilly committed for  
a non sex offense unranked felony, of a title 9A  
Crimes and punishments that's an illegal business  
hidden by the people through the 10<sup>th</sup> Amendment  
of powers reserved to state or people. A violation  
of separation of powers of a barred and illegally  
doctrine statue. The state failed to prove criminal record  
and sentenced me to the unconstitutional statue instead  
of standard sentencing range putting me on death row.  
This is a violating of my speedy trial rights and

and right of Due process of law. No I have not been convicted of a Capital Crime and no I'm not an illegal entity or C-Corporation of an world class Ar-triate. I'm not a terrorist or am I envolved in a secret language of any hate group nor am I in association in any of these groups through the state of washington of penal code science nor did I sign any documents agreeing to any of the studies of penology hideos. The Persistent offender violates the double jeopardy law and the 6<sup>th</sup> Amendment rights of accused. Accusing John Monty Davis a citizen of the United States of America of a sex and assault crime on the same person. Finding of guilty of an assault but sentenced to the sex offender mentally ill or civil commitment states Barred Statute. Once again an issue of Separation of powers by the people and state. Also I'm releasing all interest in any re: material by any state department. I John Monty Davis in this motion ask the court for a retrial on the grounds of ineffective of counsel due to the LPO/court appointed attorney Paula T Olsen did not advise the allegation of a civil commitment crime and nor did I or she prepare for these allegation that were not in the discovery or citation reports done by the Tacoma Police Department. I declare this statement under the penalty of perjury to be true and correct.

pro se John Monty Davis  
John Monty Davis

The sex offense that was stated on record that disappeared that I was supposed to be struck out on is the judicial inappropriateness / illegal joinder illegal doctrine is the switching of the title 9 and 9A crimes and punishments to fit and meet the criteria of a barred statute from a class C unranked felony of failure to register as a sex offender that was somehow ran concurrent with a 06 cause number for assault in the 2<sup>d</sup> of T. Brooks D. Gethria and Demarkus Smith "9A36021" that I was not released from until 2011 November 23<sup>rd</sup>. I'm not sure how that Failure to register got on the paperwork that would mean that somehow I got bailed out and committed a Failure to register crime which is highly unlikely because I wasn't bailed out from the arrest date. Under the definition of the Persistent offender Assault in the second degree is an accusation of a crime with sexual motivation that don't meet the elements of a non sex offense assault. Supremacy Clause misc provisions.

Pro Se

John Montague R.

My Probation officer Greg Montague has had my hearing for my probation violation under the 9A44132 Statute and dropped all allegations which is community placement not ~~commit~~ Community Custody under the 9<sup>v</sup> title, RCW. That's the inappropriateness by the Judicial department. Also releasing all interest in the divorce cause number 163048098